

Letter of Intent

Variance allowing setback of less than 25 feet

July 12, 2018

Owner/Applicant

Rusty Anchor Properties, Co. LLC

P.O. Box 142

Wittmann, Az 85361

Site Information:

Location, 16650 Mesquite Rd. Peyton Co. 80831

Legal Description: Lot324 Reata Fil NO 1

Schedule No: 4124003003

Request and Justification:

We request that the home/house located at 16650 Mesquite Rd. Peyton Co. 80831 be allowed to remain in its current location with a setback of 17 feet where a 25 foot setback is required in a zone of RR-5.

1, The home was built and placed 24 years ago. The home’s location should be granted “acquired rights” since it is not being increased in size and will continue to be used as a “Single Family Dwelling”, no change from its original use.

2, Over the years the home has become rooted in the land. No one has cause to now oppose its location. Moving the house would cause great damage to the terrain and cost thousands of dollars but, benefit no one.

3, We have no aggrieved neighbor who is crowded by a smaller setback.

4, Preserving the homes location is not just a desire, moving it would cause extreme hardship and cost.

A, The cost would be prohibitive. We would have to remove trees, re-route the driveway, excavated a new site, do soil testing, get an engineering company to do the design and pull permits. A company with the proper equipment to move the house would have to be located and the closet one that would consider the job is in Grand Junction. We would have to source and then hire professional to remove all existing electric(much of it brand new), plumbing, septic and water lines. A new well location and pumps to service new location of home. Then our above ground wire would need to be changed and extended to fill the needs of a new location for the home. Then of course, the trenches for all the underground utilities would have to be re-dug and the “licensed professionals” would have to come back and re-install all that had been removed. I can’t even begin to calculate the cost for that.

We believe that it is in the best interest of the BOA and our application that the setback variance be approved administratively.

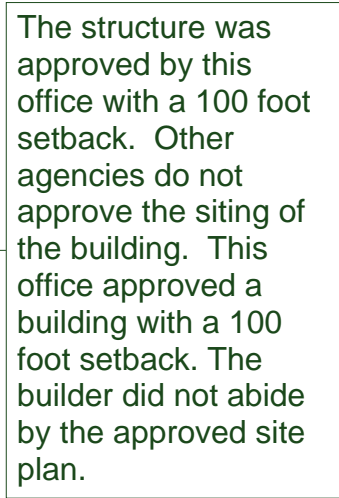
A, The current location could be considered “grandfathered” in. Denying those acquired rights will damage the land, create enormous cost and not benefit the community.

B, There is no harm to any adjacent property owner.

This process is a public hearing process, it will not be approved or denied administratively.

The structure was built in 1994, the zoning in 1994 was RR-3 (Rural Residential) the setback for that has always been 25 feet from the property boundary.

C, The homes location has already been approved multiple times by multiple agencies thru additional pulled permits over the years. Perhaps the question would be, why wasn't this setback issue addressed when those other permits were pulled and finals were issued?



The structure was approved by this office with a 100 foot setback. Other agencies do not approve the siting of the building. This office approved a building with a 100 foot setback. The builder did not abide by the approved site plan.

# Markup Summary

dskendall (3)

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...benefit no one.  
...extreme hardship and cost.  
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...comply with the proper equipment to move the  
...a job in Grand Junction. We would have to have  
...work, planning, reports and several fees. A new well  
...nd we would need to be changed and extended to  
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...if the setback variance is approved administratively  
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